

**SPECIAL MEETING
BOARD OF MAYOR AND ALDERMEN**

June 8, 2004

6:00 PM

Mayor Baines called the special meeting to order.

Mayor Baines called for the Pledge of Allegiance, this function being led by Alderman Smith.

A moment of silent prayer was observed.

The Clerk called the roll:

Present: Aldermen Roy, Gatsas, Guinta, Sysyn, Osborne, Porter, O'Neil,
Lopez, Shea, DeVries, Garrity, Smith, Thibault, Forest

Messrs: Robert MacKenzie, Gary Simmons, Randy Sherman, David Hodgen

Communication from Planning Director requesting CIP project extensions as listed on the communication dated June 3, 2004.

Alderman Garrity moved to accept the communication. Alderman Lopez duly seconded the motion.

Alderman Smith stated asked Bob, we have a lot of continuations from back to the year 2000. A lot of them are cash. What is the amount of the cash flow that hasn't been expended in these directives?

Robert MacKenzie, Planning Director, answered we don't have the detailed cash flow by year. I know we have been trying to close out some of the older projects. I don't think Randy has those available either. So we can provide you with a listing if you'd like by year of the cash outstanding in the CIP. We could provide that later if you'd like.

Alderman Smith stated I can understand the Candia Road because the State really hasn't come in yet, but the other ones I can't understand why the money hasn't been spent and we've been on demolition for buildings for quite a while. Can you explain that to me please?

Mr. MacKenzie answered there are several projects that like ongoing projects. I notice for example the hazardous material of the Fire Department. That's something that the State actually required to have a fund for those, so we put it into this CIP account and that one will probably not be expended because we need to maintain a balance in it. Dilapidated buildings; we do keep the cash because we never know when the Building Commissioner

may need the funds to remove a fire damaged building. So he does try to keep some back balance just for those emergencies when there's a fire damaged building.

Mayor Baines called for a vote on the motion. There being none opposed, the motion carried.

Appropriating Resolution:

“A Resolution appropriating to the Manchester Aggregation Program the sum of \$834,682 for Aggregation Fees for the Fiscal Year 2005.”

On motion of Alderman Thibault, duly seconded by Alderman Shea, it was voted to read the Appropriating Resolution by title only.

Alderman DeVries moved that the Appropriating Resolution pass and be enrolled.

Alderman Thibault duly seconded the motion. Alderman Gatsas called for a roll call vote.

Aldermen Sysyn, Osborne, O'Neil, Lopez, Shea, DeVries and Thibault voted yea. Aldermen Gatsas, Guinta, Porter, Garrity, Smith, Forest and Roy voted nay. The motion carried with Mayor Baines voting in the affirmative.

Alderman Lopez asked I was wondering about some of the amendments that we want to do on the budget.

Deputy City Clerk Johnson stated what I would like to do is to follow the agenda and issue the reports of the committee and then when we get to the appropriating Resolution we can do those amendments at that time. We do have a few reports of the Committee on Traffic. Your Honor, there are some reports of the Committees.

Report(s) of the Committee on Traffic/Public Safety, if available.

A report of the Committee on Traffic/Public Safety was presented recommending that a request of the Traffic Department to increase parking meter hood rentals from \$10.00 to \$15.00 be granted and approved.

On motion of Alderman Sysyn, duly seconded by Alderman O'Neil, it was voted to accept the report.

A report of the Committee on Traffic/Public Safety was presented advising that it had approved a request to expand residential parking to Bedford Street, and recommending that same be referred to the Committee on Bills on Second Reading for ordinance preparation and technical review.

On motion of Alderman Sysyn, duly seconded by Alderman Forest, it was voted to accept the report.

A report of the Committee on Traffic/Public Safety was presented recommending that that regulations governing standing, stopping, parking and operation of vehicles be adopted and put into effect when duly advertised and posted.

On motion of Alderman O'Neil, duly seconded by Alderman Forest, it was voted to accept the report.

Alderman Gatsas asked Your Honor? Is there something that shows us what the changes are? Repealing the provisions, is that what you're talking about?

Deputy City Clerk Johnson stated the repealing provisions at the end would say that anything that's inconsistent with the 2-hour parking, no parking, stop signs, all of those. It is standard language that is normally put in so that if something got missed in the rescission, it gets found that way.

A report of the Committee on Traffic/Public Safety was presented recommending that FY2005 revenues of the Police Department be increased by \$50,000 and that \$50,000 be set aside for the Police Department for implementation of a lock box program to include purchase of handheld PDA units to be utilized by parking enforcement personnel.

On motion of Alderman Sysyn, duly seconded by Alderman O'Neil, it was voted to accept the report.

A report of the Committee on Traffic/Public Safety was presented recommending that \$25,000 be added to the Police Department FY2005 budget for additional parking enforcement to include two part-time Parking Control Officers (PCO's); and that the Police Department revenues be increased by \$25,000 to offset such costs.

Alderman Lopez moved to accept the report. Alderman O'Neil duly seconded the motion.

Alderman Gatsas asked Your Honor, do I understand this correctly that we're increasing Police by \$75,000 in revenues.

Deputy City Clerk Johnson answered yes, Your Honor.

Alderman Gatsas asked how are these revenues being increased?

Deputy City Clerk Johnson answered there has been discussions with the Police Department and Deputy Chief Simmons is here to address it if the Board so desires. And it is my understanding that the changes we're recommending will allow them to offset those costs by \$75,000 in additional revenues.

Gary Simmons, Deputy Police Chief, stated that's correct. What we anticipate is the additional two part-time Parking Control Officers would be for 20 hours per week. What we would do is in essence be one full-time, but on 20 hours a week with no benefits except for the Medicare, etc. With that we anticipate at least a revenue increase on parking tickets of at least \$75,000. We actually believe that's conservative, but we feel that's a comfortable amount to start with.

Alderman Gatsas asked so basically, how much is a parking ticket? What's the violation amount?

Deputy Chief Simmons replied we base that, Alderman, on an average \$10.00 parking ticket. That's you're parking ticket, obviously some are higher.

Alderman Gatsas asked so that means that they've got to average 3.6 parking tickets per hour.

Deputy Chief Simmons replied and again, we're being conservative with that. We actually think it could be upwards of \$100,000 in revenue but we want to be conservation. What we're looking at is possibly take those two part-timers, putting them on the street, replacing one full-timer that's there, making that full-time person mobile assisting with some of the boot fines that we have, getting additional revenue there, as well as dealing with handicapped parking and fire lane parking.

Mayor Baines stated let me just follow up because somebody said about the number of illegal uses of handicapped parking there's been a lot of enforcement around that lately. Is that true?

Deputy Chief Simmons replied we've had a lot of enforcement, and as you know, the fine has increased considerably as well. There's the additional Ordinance now part of the State law which deals with the handicapped isles, which is the area right next to the handicapped spot for wheelchair access. So there's two separate violations that are actually there.

Mayor Baines asked do you have some stats on the number of those stickers or the things you hang on the mirror that have been actually taken away for illegal use.

Deputy Chief Simmons replied I don't have those here.

Mayor Baines stated it's quite significant.

Deputy Chief Simmons stated there's been quite a crackdown in that area.

Alderman DeVries stated an additional matter; you mentioned that this will aid in the enforcement of fire lane violations as well. I ask that maybe you could take a look and recommend back to the department. If I understand correctly, the fine for fire lane violation is a \$20.00 ticket.

Deputy Chief Simmons answered I believe so. I don't have that number with me.

Alderman DeVries asked what I've heard is that specifically at some of the high schools they've had an enforcement problem and because it doesn't trigger withholding the re-registration of the vehicle until they hit a certain dollar amount, I believe it was \$100.00 or \$200.00, that some of the high schools every time the Fire Department goes through the fire lanes are blocked and their not able to gain access. It could become a critical problem and I'm just wondering the \$20.00 fee didn't seem to be up to date.

Deputy Chief Simmons stated if I'm not mistaken, I actually think a fire lane is a \$50.00 fine if I'm not mistaken.

Alderman DeVries stated you might want to check at the high schools and see how that...it came at the citywide safety committee as an issue that they're wishing to have updated.

Alderman Forest stated I think the extra PCO's will address this because I think a lot of the problems we as Aldermen have when we've called in a complaint about parking and all of that stuff, the Police officer has been tied up. I realize Police officers give tickets, but the PCO's that we have are tied up with other things. There's only one PCO that covers the whole the City and if she's tied up with booting cars or in the traffic bureau, they're not getting tagged. So this will address the situation and get the Police Department off the hook.

Mayor Baines stated one of the pet peeves is people parking on corners that are marked no parking and people just pull in at their convenience. I see people pulling right up on sidewalks and parking. I think those are things that can be address effectively by the Police Department.

Alderman Gatsas asked how many PCO's do we have right now?

Deputy Chief Simmons answered four.

Alderman Gatsas stated we have four PCO's. Full-time or part-time?

Deputy Chief Simmons answered full-time.

Alderman Gatsas stated four full-time, and my understanding from cruising Channel 23 last night, those four full-time write approximately...Carol can you help me? How many tickets per year?

Deputy City Clerk Johnson stated the last numbers that we had was about 65,000 tickets a year, but that's also including what the Police officers are issuing as well.

Alderman Gatsas asked so you're trying to tell me that two part-time PCO's are going to write \$75,000 when we have full-time that are only writing 65,000.

Deputy Chief Simmons no Alderman. We're talking about revenue, no 75,000 tickets. \$75,000 in tickets would be 7,500 tickets.

Alderman Osborne stated I think I've been going over this now for about three or four years about the girl that goes around and does all of the booting and the tickets. I've called her several times and I think went in with Mr. Garst when he was on the Police Commission. I think he brought it before the Police Commission, in fact, that we should have added one more of those girls on there full-time because of all the tickets that are there and here-to-corner and so on and so forth. The money that can be made there I know. I've said this longer than three years ago would pay for the girl, car and everything else and still make money on top of it with no problem. Especially on weekends, there's nobody out there tagging on weekends and they are all over the place.

Deputy Chief Simmons stated we do feel it certainly aid us in revenue increases but it will also help us out with the some of the parking problems that every constituent of yours and every other ward has, that we don't always to address as regular as we'd like too.

Mayor Baines stated and that's more important than the revenues in my book.

Alderman Thibault stated Your Honor, I wonder if there's a way that we could get an idea as to what this mounted patrol is costing the City. I'm talking about the truck, the trailer, the housing of the horses, the mounted Police, and so on. And how many arrests have been made through that? What are we looking for here? I seem to look at that this is a major cost to the City for very little benefit, unless you guys could show me that I'm making a mistake here.

Mayor Baines stated I've some conversations. The Chief is re-evaluating that program and there may be some changes that could be forthcoming. But he is evaluating the program; we had a meeting about it last week.

Alderman Thibault stated I wish the Board would be apprised of where you are at.

Mayor Baines replied yes you will and again it was just a conversation we had last week and he's looking at that issue and re-evaluating that program.

Alderman Shea stated I certainly feel that this would be a revenue source for us. My question, Your Honor, is are we going to make this adjustment in our budget accordingly? Should we change it now or later on?

Mayor Baines stated again, just to repeat about the revenues. That will all be determined when we fill out our forms that go to the DRA in the fall. Those adjustments will be made.

Alderman Shea stated right, but our figures here are going to be incorrect.

Mayor Baines stated they will be changed.

Mayor Baines called for a vote to accept the report that \$25,000 be added to the Police Department FY2005 budget for additional parking enforcement. The motion carried with Alderman Gatsas duly recorded in opposition.

Ordinance:

“Amending Section 70.54 of the Code of Ordinances of the City of Manchester by increasing permit parking in lieu of coin deposit.”

On motion of Alderman Shea, duly seconded by Alderman Forest, it was voted to suspend the rules and place this Ordinance on its final reading by title only. The motion carried with Alderman Gatsas and Alderman Guinta duly recorded in opposition.

On motion of Alderman Porter, duly seconded by Alderman Thibault it was voted to read the Ordinance by title only.

This Ordinance having its final reading by title only, Alderman DeVries moved on passing same to be Ordained. Alderman O'Neil duly seconded the motion. Alderman Gatsas requested a roll call vote. Aldermen Sysyn, Osborne, Porter, O'Neil, Lopez, Shea, DeVries, Garrity, Smith, Thibault, Forest and Roy voted yea. Aldermen Gatsas and Guinta voted nay. The motion carried.

Appropriating Resolution:

“ ‘Raising Monies and Making Appropriations for the Fiscal Year 2005’ as amended to \$112,806,584.”

On motion of Alderman O'Neil, duly seconded by Alderman Thibault, it was voted to read by title only.

Alderman Shea moved to amend the Appropriating Resolution to add \$55,000 to the Police Department for two part-time PCO's, to add \$20,000 to the Finance Department and \$75,000 as anticipated revenue as an offset. Alderman DeVries duly seconded the motion to amend. The motion carried with none recorded in opposition.

Deputy City Clerk Johnson stated we like to clarify for the record that handout that was given to the Board at the last meeting in the layover, there was a \$30,000 discrepancy and it was put in Human Resources instead of in...

Mr. Sherman stated no, it was actually put in the Planning number, not the Human Resources number. So that has been corrected on this sheet.

On motion of Alderman DeVries, duly seconded by Alderman Thibault, it was voted to amend the Appropriating Resolution to correct the \$30,000 discrepancy from the Planning Department to Human Resources.

Alderman Gatsas asked can you just tell me where that correction is Mr. Sherman?

Mr. Sherman stated if you have the handout that was given out last week and then the one that was handed out tonight that says revised, you notice that the Human Resources number is now \$1,031,804 and Planning is \$893,233. The \$30,000 that was added to Human Resources for the Jack Sharry contract was put on the wrong line. It was put in the Planning line not the Human Resources line.

Alderman Lopez moved that the Appropriating Resolution pass and be enrolled as amended. Alderman Shea duly seconded the motion. Alderman Gatsas called for a roll call vote.

Alderman Lopez asked we did change the bottom line numbers then, right Carol?

Deputy City Clerk Johnson answered yes, you would have changed it because you would have increased it by the \$75,000.

A roll call vote was taken. Aldermen Sysyn, Porter, O'Neil, Lopez, Shea, DeVries, Smith, Thibault and Forest voted yea. Aldermen Gatsas, Guinta, Osborne, Garrity and Roy voted nay. The motion carried.

On motion of Alderman Thibault, duly seconded by Alderman Sysyn, it was voted to recess the meeting for a negotiation strategy session.

Mayor Baines called the meeting back to order.

David Hodgen, Chief Negotiator, stated I believe that a motion would be in order to ratify the agreement with AFSCME in accordance with the memorandum dated May 28, 2004 and I think in light of the fact that there won't be another regular meeting this month, perhaps the Board would want to waive Rule 26 as well.

Alderman Roy moved to ratify the agreement with AFSCME and waive Rule 26. Alderman Sysyn duly seconded the motion. Alderman Shea called for a roll call vote. Aldermen DeVries, Garrity, Smith, Thibault, Forest, Roy, Gatsas, Guinta, Sysyn, Osborne, Porter, O'Neil and Lopez voted yea. Alderman Shea voted nay. The motion carried.

Mr. Hodgen stated Your Honor, the Board also gave some consideration to making a decision with regard the non-affiliated employees. And so, therefore, the Board could move to give the same pay increase to the non-affiliated as was just passed for AFSCME.

Alderman Sysyn moved to give the same 2 percent pay increase to non-affiliated employees as was awarded to AFSCME in their contract. Alderman Osborne duly seconded the motion.

Alderman O'Neil stated number one, Your Honor, I think its premature with the non-affiliated where we're just accepting our first bargaining unit this evening. Secondly, I have a problem where we have in some departments the people negotiating from the management side will get their affective July 1st but some of the bargaining units that they're negotiating against are in mediation at this time. I think that's wrong, I wish there was a way to fix it, and again, I think it's premature to be doing the non-affiliated tonight when we have issues with bargaining units that are not straightened out.

Alderman Roy stated we just received information from the Chief Negotiator from a non-affiliated spokesperson and I've asked for a fiscal impact of the request so that we can make an accurate decision and I'd like to see this wait until we have that fiscal impact of the changes.

Mayor Baines stated we're not considering any part of that tonight anyway.

Alderman Shea stated I hope the Board realizes that as the decision they've reached tonight, that this is a three-year contract and, therefore, the discussions that we had previous to this, where different viewpoints were at that particular meeting and I stand by my decision that as we are seeing the implications of the Yarger-Decker, we will see the implications of this ratification, because we don't know what our budget numbers are as of this date. And as I explained before, we should have waited until a later date until in order to impact what this is going to have on your budget. And my own thinking is that as Alderman O'Neil has expressed, I think I would like to table whatever...David, did you come in with a contractual agreement with the non-affiliates?

Mr. Hodgen answered no.

Mayor Baines stated we don't have a contract.

Alderman Shea asked why are we discussing it?

Mayor Baines answered because the Board indicated that they wanted to deal with non-affiliates this evening.

Alderman Shea stated so that basically there is not contract with the non-affiliates.

Mayor Baines stated it's just implementing the same percentage for non-affiliated that we approved previously, and the board indicated that they wanted to non-affiliates this evening. That's why we're voting on it.

Alderman Shea asked so you're going to vote on it this evening?

Mayor Baines stated well the Board asked to vote on it this evening.

Alderman Lopez stated the money is in the budget in each department for this and it's very difficult sometimes in waiting, but I have to weigh one fact that all employees of the City ought to be treated the same and I think that statement has been made quite a number of years by some Aldermen here. The Unions do have an opportunity to negotiate and they get some things and the negotiating status and departments more than so than non-affiliated employees. We're not negotiating with the non-affiliated employees, we're saying that we treat them fairly of giving them the same pay, the compensation package plus the 2 percent COLA, as we do any other employee in the City.

Alderman O'Neil called for a roll call vote on the motion to give the same 2 percent pay increase to non-affiliated employees as was awarded to AFSCME in their contract.

Aldermen Lopez, Garrity, Thibault, Forest, Gatsas, Guinta, Sysyn and Osborne voted yea.

Aldermen O'Neil, Shea, DeVries, Smith and Roy voted nay. Alderman Porter abstained.

The motion carried.

This being a special meeting of the Board, no further business was be presented and on motion of Alderman Smith, duly seconded by Alderman Garrity, it was voted to adjourn.

A True Record. Attest.

City Clerk